IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J

WRIT PETITION NO.3155 OF 2005

Janhit Manch
through its President Bhagvanji Raiyani
and others. .. Petitioners

v/s.

State of Maharashtra .. Respondent

Mr.Bhagwanji Raiyani- Petitioner in person.

Mr.K.R.Belosey, Assistant Government Pleader for the respondent No.1.

CORAM : R.M.LODHA &
NARESH H. PATIL, JJ.

DATED : 10TH AUGUST, 2006.

P.C.

The issue raised in this writ petition is with regard to installation of monument of Chhatrapati Shivaji Maharaj by the State Government by spending about Rs.100 crore.

2. In response to the writ petition, brief reply affidavit has been filed on behalf of the State Government. It transpires therefrom that the project of construction of the monument of Chhatrapati Shivaji Maharaj in the Arabian Sea is under consideration of the Government of Maharashtra.

3. The project is not to be wholly funded by the Government but shall have public donation as well as on Build Operate Transfer (BOT) basis. There is no reason to disbelieve

the statement made in the affidavit of the State Government.

4. As it is, the State has enacted the Fiscal Responsibility and Budgetary Management Act, 2005. The affidavit states that the said Act has been implemented from 21st April, 2005. Obviously, the State Government has to comply with the Fiscal Responsibility and Budgetary Management Act, 2005 while spending any money from public exchequer on the proposed budget of construction of monument of Chhatrapati Shivaji Maharaj in the Arabian Sea.

5. No further order needs to be passed. We dispose of the writ petition accordingly.

(R.M.LODHA, J.)

(NARESH H. PATIL, J.)